



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2206753

**Applicant Name:** Julie LeDoux

**Address of Proposal:** 4410 Meridian Ave N.

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into four (4) lots (unit subdivision). Proposed lot sizes are: A) 1,240.7 square feet, B) 1,079.3 square feet, C) 1,115.6 square feet; and D) 1,116.1 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related project: establish use as and construct two (two unit) duplex townhouse structures, and occupy per plans, all under (MUP No. 2206384).

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into four lots as a unit subdivision. (Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:**

☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS

☐ DNS with conditions

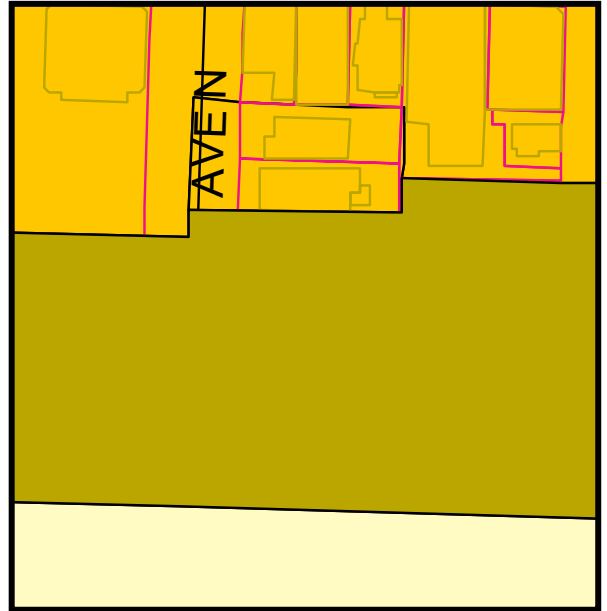
☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site & Area Description**

The approximately 4,560 square foot property is located on Meridian Ave N between N 44th St and N 45th St in the Wallingford area of north Seattle. Access to the site is via Meridian Ave N, which is paved and improved with concrete curbs, gutters, planter strips and sidewalks on both sides of the street. There are currently two (2) duplex townhouses under construction on the site. The parcel is not located in any identified or designated Environmentally Critical Area.

The subject property is zoned Lowrise 2; surrounding lots are zoned Multi-family Lowrise, Neighborhood Commercial and Single-family 5000; (L-2), (L-3), (NC2-40) and (SF 5000). Development in the area consists of one and two-story single-family dwellings, small multi-family structures, and small commercial development consistent with the zoning.



### **Proposal Description**

The proposal is to subdivide one parcel into four (4) unit subdivision lots with vehicle access from a street abutting the front of the property. Vehicle access to the proposed lots and future dwelling units will be via a ten (10) foot wide ingress, egress and utility easement, which gives access to an auto court and in turn, the garages within each unit. Each unit will have parking within the structure. Proposed lot sizes are as indicated in the summary above. All lots have pedestrian access to Meridian Ave N via the ten (10') foot easement mentioned above.

Note that the construction of the proposed duplex townhouses has been reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit (MUP No. 2206384.) The subject of this analysis and decision is only the proposed division of land.

### **Public Comments**

The comment period for this proposal ended on November 13th, 2002. During the public comment period, DCLU received six (6) written comments related to this project. The comments were related to concerns about setback requirements, on-site parking requirements, and the negative aesthetic effect on the neighborhood by the proposed townhouses.

## **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, The Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one unit per 1,200 square feet of lot area. Given a lot area of approximately 4,560 square feet, four (4) units are allowed and four (4) are proposed. Maximum lot coverage is 50%. Front setbacks are an average of the neighboring adjacent lots, the maximum required setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side yard setback is five (5) feet; the actual required setback is based on the height of the structure adjacent to the side property line. The provision 23.86.012 (A.1c) was used for front setback averaging along the street facing façade. Rear yard setback is twenty-five (25) feet or fifteen (15) percent of the lot depth, in no case less than fifteen (15) feet. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The lots are provided vehicular access via a ten (10') foot wide ingress, egress and utility easement along the westerly portion of the subject property, consistent with the requirements of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement to provide for electrical facilities and service to the proposed lots

in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on October 30<sup>th</sup>, 2002. There is an eight-inch (8") public combined sewer (PS) located in Meridian Ave N, which serves the site. There is an eight (8") inch water main located in Meridian Ave N, which serves the site. Plan review requirements were made at the time of building permit review.
4. The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. An area for address signage shall be provided such that addresses for all units are visible from Meridian Av N and an easement or a covenant shall be recorded with the final plat to ensure that the address signage is maintained. Therefore, the public use and interests are served by permitting the proposed subdivision of land. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. There are presently no trees on site. The survey indicates that there was one (1) tree on the site, however the tree was located within or near to the footprint of the proposed buildings and was removed. SMC 23.45.015-C requires that new multifamily structures preserve existing trees or plant new trees on site, which was reviewed under MUP No. 2206384. Thus, the provision requiring that the subdivision be designed to maximize the retention of existing trees is not applicable.
7. The applicant proposes the construction of multi-family residences on the subject site. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

Conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under Master Use Number (MUP No. 2206384). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A, B, C, and D are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

### **SUMMARY - SHORT SUBDIVISION**

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise 2 zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards of the set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision. Have the final recording documents show the required ingress egress easements, with pedestrian inclusion and detail in the legal description where these easements are located.
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.
6. Provide an area to allow for the posting of address signage for unit lots C and D at a location visible from Meridian Ave N. and provide a covenant and/or an easement to ensure that address signage can be maintained.

Signature: (signature on file) Date: May 22, 2003  
Lucas DeHerrera, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services